

House Bill 206

By: Representative Day of the 163<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to the  
2 organization of the executive branch generally, so as to establish the "Georgia Agency  
3 Accountability Act"; to provide for a short title; to provide for legislative intent; to require  
4 each state agency to review and evaluate statutory provisions applicable to a state agency and  
5 the associated costs; to provide for automatic repeal; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to the organization  
10 of the executive branch generally, is amended by designating Code Sections 50-4-1 through  
11 50-4-7 as Article 1 and by adding a new article to read as follows:

12 "ARTICLE 2

13 50-4-20.

14 This article shall be known and may be cited as the 'Georgia Agency Accountability Act.'

15 It is the intent of the General Assembly to establish a method by which the statutory  
16 provisions of each state agency and the effectiveness of such laws as applied to each state  
17 agency may be evaluated. This article is meant to ensure that the valuable resources of this  
18 state are best utilized and that unnecessary statutory provisions are repealed. Such review  
19 shall lead to cost-effective elimination of unnecessary statutory provisions and an increased  
20 focus on essential state agency functions.

21 50-4-21.

22 (a) Every state agency, department, board, council, authority, commission, or other state  
23 entity shall review the Georgia statutory and constitutional provisions applicable to such

24 entity. The review shall include an assessment of the obligations associated with such  
 25 statute and a detailed accounting of the costs of each statutory obligation. The state entity,  
 26 in conducting a review, shall assign a value for the function created, if any, by each  
 27 statutory provision and shall rank the statutory duties and obligations in an order of priority  
 28 which includes the entity's evaluation of the essential need for such service or function.

29 (b) The report and evaluation required by this Code section shall be provided to the  
 30 Governor, Speaker of the House of Representatives, President of the Senate, and each  
 31 chairperson and sub-chairperson of an appropriation committee of the General Assembly.  
 32 The report shall be provided no later than September 1, 2009.

33 (c) The report required by this Code section shall, at a minimum, include the following:

34 (1) A comprehensive list of state statutes applicable to a state entity and the programs  
 35 and services performed by the state entity pursuant to an identifiable statute, including  
 36 all special purpose activities undertaken to perform such statutorily imposed obligations;

37 (2) An accounting of state resources spent by the agency on each statutorily imposed  
 38 obligation;

39 (3) A list of agency programs or functions that are performed without specific statutory  
 40 authority and the costs associated with each such function; and

41 (4) Other information as requested by the committee or any study committee created  
 42 under the committee's direction.

43 (d) Information and data reported by the agency shall be validated by the agency's chief  
 44 executive before submission to the committee.

45 (e) Where any board, commission, advisory council, or similar state entity has not held an  
 46 open public meeting for a period of more than 12 months the agency shall be presumed to  
 47 be inactive, and the agency to which such entity is assigned for administrative purposes  
 48 shall prepare the report required by this Code section on behalf of such inactive entity.

49 50-4-22.

50 The provisions of this Act shall be automatically repealed on July 1, 2011."

51 **SECTION 2.**

52 All laws and parts of laws in conflict with this Act are repealed.